

Applicant Initiated Interview Request Form

Application No.: 10/800,347
 Examiner: Blake J. Rubin

First Named Applicant: Michael Ian McGregor
 Art Unit: 4152 Status of Application: Final Rejection

Tentative Participants:

(1) Bruce R. Needham (2) Blake J. Rubin
 (3) _____ (4) _____

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JUN 19 2008

Proposed Date of Interview: As soon as possible

Proposed Time: _____ ☒ AM ☒ PM

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej.</u>	<u>Claim 1</u>	<u>Multer (7,007,041)</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Rej.</u>	<u>Claim 1</u>	<u>Ring (7,090,104)</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

Does Multer teach interactively prompting the user during a single online session?

Does Ring teach verifying which of the online users are valid users of an interactive messaging service provided by a messaging server? Please see continuation sheet for a proposed amendment and agenda.

An interview was conducted on the above-identified application on _____.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

/Bruce R. Needham/

Applicant/Applicant's Representative Signature

Examiner/SPE Signature

Bruce R. Needham

Typed/Printed Name of Applicant or Representative

56,421

Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Application No. 10/800,347
Attorney Docket No. RPS920040005US1
Interview Request – Attached Issue Sheets

Dear Examiner,

The Applicants desire a prompt resolution of this case. The Applicants would like to add an amendment that will position this Application for prompt allowance. In that light, we would like to discuss the following points with you at your earliest convenience:

1. As background, the Application seeks to overcome problems of the prior art associated with creating an interactive messaging contact list. Application at ¶¶ 2-5. The invention of the Applicants solves these problems by retrieving a user's contact information, validating that information both with the user and with an interactive messaging server, and inserting the validated information into an interactive messaging contact list. *Id.* at ¶ 6-7. A retrieval module retrieves contact information corresponding to online users from a plurality of contact sources residing on a user's computer and associated with a user including at least one electronic address book. *Id.* at ¶ 7, 26-28, 30, 34. A validation module verifies which of the online users are valid users of an interactive messaging service provided by a messaging server, interactively prompts the user during a single online session to accept or reject the contact information for each valid user, and provides validated contact information. *Id.* at ¶ 7-11, 28, 31-32, 35. An insertion module adds the validated contact information to an interactive messaging contact list. *Id.* at ¶ 7-9, 28, 31-32, 35.
2. Ring, however, teaches synchronizing folders between layers of folders or between folders on a network. *Ring* at Title, Abstract. Ring teaches synchronization that is automatic, and repeatedly teaches away from user intervention or interaction. *Id.* at col. 3, ll. 26-29; col. 4, ll. 61-65; col. 6, ll. 11-15. Instead of resolving conflicts interactively with a user, or customizing the synchronization, Ring teaches automatically resolving conflicts, or informing the user of a conflict by email. *Id.* at col. 10, l. 61 to col. 20, l. 2.

3. Multer, however, teaches the synchronization and transference of data between two systems or devices. *Multer* at Abstract, col. 1, ll. 20-24. Multer teaches synchronizing data across multiple independent systems or devices using a difference engine so that only data that has changed will be transferred. *Id.* at col. 5, ll. 36-56. Multer teaches that prior art synchronization systems are inefficient, because they “require interaction by the user” “at some level.” *Id.* at col. 2, ll. 46-51.
4. Claim 1 – As a starting point for discussion, the Applicants believe that Multer does not teach **interactively prompting the user during a single online session** as stated in Applicants Claim 1. Instead, in a single paragraph in the background section, Multer states that prior art systems “require interaction by the user” “at some level.” *Multer* at col. 2, ll. 46-51. This interaction “is generally via a cable directly connecting, for example, Palm® device in a cradle to the personal computer.” *Id.* at col. 2, ll. 5-8. Applicants respectfully submit that Multer does not teach interactively prompting a user during a single online session, but teaches that user interaction during synchronization of a directly connected device is inefficient. Even if Multer did teach interactively prompting the user during a single online session, one of ordinary skill in the art would not combine Multer with Ring, because Ring extensively teaches away from user interaction during synchronization as discussed above. *Ring* at col. 3, ll. 26-29; col. 4, ll. 61-65; col. 6, ll. 11-15.
5. If the above arguments are not persuasive, to allow for a prompt resolution to this case, Applicants believe that the server of *Ring* resolves conflicts automatically or informs members of a conflict by email, as discussed above, but does not **verify** which online users are **valid users of an interactive messaging service** provided by a messaging server. *Ring* at col. 10, l. 61 to col. 20, l. 2. To clarify this point, if Applicants arguments above are not persuasive, Applicants propose an amendment to Claim 1, as representative of other independent claims, as detailed below.

Based on the above items, the Applicants would like to discuss whether Claim 1, upon further reflection, is allowable. If not, the Applicant would like to discuss whether a claim including any element or combination of elements from Claims 3-6 or other claims not specifically discussed above would be allowable. If not, the Applicants would like to discuss whether an amended Claim 1 would be allowable, a suggested amendment would be as follows:

1. (Currently Amended) An apparatus for automatically populating an interactive messaging contact list, the apparatus comprising:

- a retrieval module configured to retrieve contact information corresponding to online users from a plurality of contact sources residing on a user's computer and associated with a user including at least one electronic address book;

- a validation module configured to verify which of the online users are valid users of an interactive messaging service provided by a messaging server, to interactively prompt the user during a single online session to accept or reject the contact information for each valid user, and ~~online user and validate the contact information on a messaging server~~ to provide validated contact information, the validated contact information comprising the contact information for the online users who are valid users and are accepted by the user; and

- an insertion module configured to add the validated contact information to an interactive messaging contact list; and

wherein at least a portion of the retrieval module, validation module and the insertion module comprise at least one of logic hardware elements and executable code, the executable code stored on one or more computer readable media.